

Docket No. 4063-4001US1

57w



REQUEST FOR WITHDRAWAL AS ATTORNEYS OR AGENTS
(37 CFR §§ 1.26 AND 10.40(c)(1)(iv))

The undersigned attorney of record hereby requests permission for withdrawal of all of the attorneys and agents of record (Counsel) in the above-identified application under 37 CFR §§ 1.36 and 10.40(c)(1)(iv). The reasons for withdrawal are discussed below. No fee of the filing of this Request is believed to be required.

The above-identified application was filed with the United States Patent and Trademark Office (USPTO) on January 14, 2004 and is a continuation of parent application Serial No. 09/628,464, filed July 31, 2000 (the parent '464 application). The Inventor, Sung Lee, assigned the rights of the parent '464 application to Dial2Go, Inc., for

which Inventor Lee is the President and CEO. The present application was filed in an effort to prevent irreparable loss of patent rights by the Inventor and Assignee. A Notice To File Missing Parts Of Nonprovisional Application Filed under 37 CFR 1.53(b) requesting an executed declaration of the inventor and payment of a \$65.00 small entity surcharge be filed was mailed on April 4, 2004. A response to the Notice to File Missing Parts has been contemporaneously filed with the instant Request that included a copy of the executed declaration filed in the parent '464 application and the requisite \$65.00 small entity surcharge for the late filing of the declaration. On this basis, no current time period for reply is currently running in the present application.

On April 8, 2003, a letter reporting Counsels' receipt of an Updated Filing Receipt was mailed to Inventor Lee at the last-known address of his company and Assignee Dial2Go, Inc. identified below. The April 8, 2003 letter was, however, returned by the United States Postal Service as undeliverable and unable to forward. Subsequent attempts by Counsel to reach or locate Inventor Lee have been unsuccessful, and his absence has rendered it unreasonably difficult for Counsel to effectively represent Inventor Lee, or Assignee Dial2Go, Inc. in this matter.

On July 16, 2003, for example, a non-final Office Action in the parent '646 application was mailed by the USPTO setting forth a three-month shortened statutory time period for response, which initially expired on October 16, 2003. Counsel, received no communication of instruction of any kind from either Inventor Lee, or any other authorized authority acting on behalf of Assignee Dial2Go, Inc., for responding to the outstanding Office Action. On this basis, Counsel was unable to continue prosecution of the parent '464 application and directly respond to the outstanding Office Action that

ultimately lead to the parent '464 application being held abandoned.

Notwithstanding Counsels' filing of the present continuation application, Counsel remains empowered to act on behalf of Inventor Lee and Assignee Dial2Go, Inc., and Counsel has neither successfully located Inventor Lee nor received any further communication or instruction from Inventor Lee. Inventor Lee's continued absence and lack of communication continues to render it unreasonably difficult for Counsel to represent Inventor Lee and Assignee Dial2Go, Inc. in the present application. It is on this basis that Counsel is requesting permission for withdrawal via the instant Request.

The last known address of Inventor Lee is:

Sung Lee
12 Fox Run Drive
Englewood, New Jersey 07631.

The last know address of Assignee, Dial2Go, Inc. is:

Dial2Go, Inc.
2 University Plaza Drive, Suite 201,
Hackensack, New Jersey 07601.

CONCLUSION

In view of the above, the undersigned attorney of record requests withdrawal of Counsel, i.e., all of the attorneys and agents of record, under 37 CFR §§ 1.36 and 10.40(c)(1)(iv). An expedited notice approving the present Request for Withdrawal is earnestly solicited.

Serial No. 10/757,806

Attorney Docket: 4063-4001US1

AUTHORIZATION

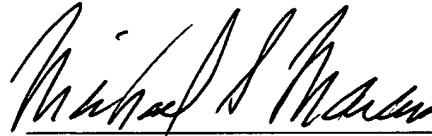
The Director is hereby authorized to charge any additional fees which may be required for the timely consideration of this request for Withdrawal as Attorneys or Agents, or credit any over payment, to Deposit Account No. 13-4500, Order No. 4063-4001.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: May 18, 2004

By:



Michael S. Marcus

Registration No. 31,727

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